

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 5/13/24
--

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
	:	
UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
SARO MOURADIAN	:	
a/k/a "PAUL MOURADIAN",	:	20 Cr. 652 (VM)
Defendant.	:	
-----	X	

WHEREAS, on or about December 3, 2020 SARO MOURADIAN (the "Defendant"), among others, was charged in an Indictment, 20 Cr. 652 (VM) (the "Indictment"), with racketeering conspiracy, in violation of Title 18, United States Code, Section 1028(f) (Count Two); conspiracy to commit access device fraud, in violation of Title 18, United States Code, Section 1029(b)(2) (Count Three); and conspiracy to commit wire fraud and mail fraud, in violation of Title 18, United States Code, Section 1349 (Count Four); and

WHEREAS, the Indictment included forfeiture allegation as to Count Three of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(B) and 1029(c)(1)(C), any and all property, constituting, or derived from, proceeds obtained directly or indirectly, as a result of the commission of said offense, and any and all personal property used or intended to be used to commit the offense charged in Count Three of the Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count Three of the Indictment;

WHEREAS, the Defendant personally posted \$50,000 cash bail (the "Bail Funds") toward a court-ordered personal recognizance bond, and the Bail Funds remain on deposit with the Clerk of Court;

WHEREAS, on or about August 3, 2023 the Defendant pled guilty to Count Three of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count Three of the Indictment and agreed to forfeit to the United States, a sum of money equal to \$50,190 in United States currency, representing the amount of proceeds traceable to the commission of the offense charged in Count Three of the Indictment; and

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$50,190 in United States currency, pursuant to Title 18, United States Code, Section 982(a)(2)(B), representing the amount of proceeds traceable to the offense charged in Count Three of the Indictment that the Defendant personally obtained;

WHEREAS, the Defendant agrees that the Bail Funds shall be applied toward the payment of the Defendant's the forfeiture money judgment.

WHEREAS, on or about March 14, 2024, the Defendant turned over a check in the amount of \$190 to the Government (the "Payment");

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorney, Benet J. Kearney of counsel, and the Defendant, and his counsel, Joseph DiBenedetto, Esq., that:

1. As a result of the offense charged in Count Three of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$50,190 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offense charged in Count Three of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, SARO MOURADIAN, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Illicit Finance and Money Laundering Unit, 26 Federal Plaza, 38th Floor, New York, New York 10278, and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. In accordance with Title 28, United States Code, Section 2044, the Clerk of the Court shall pay the Bail Funds, less the Clerk's fees, if any, to the United States in the form of a check payable to the United States Marshals Service which shall reference the Defendant's name and case number, and be delivered to the United States Attorney's Office, Southern District of New York, Attn: Illicit Finance and Money Laundering Unit, 26 Federal Plaza, 38th Floor, New York, New York 10278.

6. Upon execution of this Consent Preliminary Order of Forfeiture/Money Judgment, the United States Marshals Service shall be authorized to deposit the Bail Funds, as a payment on the Money Judgment, in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

7. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

8. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.


9. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

10. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: 

EMILY DEININGER
Assistant United States Attorney
26 Federal Plaza
New York, NY 10278
(212) 637-2472

May 10, 2024

DATE


SARO MOURADIAN

By: 

SARO MOURADIAN

05.07.2024

DATE

By: 

JOSEPH DIBENEDETTO, ESQ.
Attorney for Defendant
1565 Franklin Avenue, Suite 301
Mineola, NY 11501

5/8/24

DATE

SO ORDERED:



May 13, 2024

HONORABLE VICTOR MARRERO
UNITED STATES DISTRICT JUDGE

DATE